Previous references.

1892-1893.
190-.

File No. 398 86
1892-93.
Serial Nos. 1-6

(Revenue)

Previous references.
Secs. Ol of 1903-04
561-4B.
Acts I of 1908-9.
Secs 2, 107, 277, 278, 324
B. May 09.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-6.

Part B. for

SUBJECT.

Petition Appeal by Nagarattha Chettah people, Bangalore city against the order of the Dt. Magistrate of Bangalore granting a license to Desada people to take their procession through Cubbon Street wholly inhabited by Desada people

1. Petition m. 1765 D) 17-1-1893 from Nagarattha Chettah people Bangalore City through their Counsel Appeals against the order of the Dt: Magte: Bangalore granting a license to Desada people to take their procession through Cubbon Street Bangalore City wholly inhabited by Desada people

2. 875 D) 21-1-1893 to the Dy: Comr. Bangalore calls for records with a report.

G. R. S. 58

3. 1084 D) 26-4-1893 from the Dt. Magte: Bangalore submits records with report.

Subject to Cancellation (Sgd) [illegible]

[illegible]

[illegible]

[

Mis. Cases No 58 of 1892 on the file of Dt. Mgr.
Rt. S. Ramaya Chetty & others
Dt. Mgr's order thereon 9th Dec 1892

Prayg that Sundaresa Chetty & others
may be dealt with acc'g to law for
trespass into cultivated

Trespass complained of as having
taken place on 8th May 1890 —
Complt. aff. Ramayijan of Desa-
pete & Veerayi Chetty of Nagarapet
Complt. uses 6 K 39 grs. Rt. Phil
Repl. & Rt. Knight & enquiry & report
& Rent, and the order of the Dt. Mgr
thereon.

(General Serial No. 32.)

1892.

No. 1765

Name of Petitioner. A Lambasiva Iyer
adv. on behalf of Doora Venkata
& others

Village. Nagarth pete

Taluk. Bangalore city

District.

Date of Arzi. 17—1—93

Date of Receipt. 18—1—93

Date of Disposal.

No. of Enclosures. Four

ABSTRACT.

Protest against the passing
of the Dasara party proce
with music &c in Nagarth
pet as sanctioned by the Dy
Comm. agt. Inamool.

18/1/93.

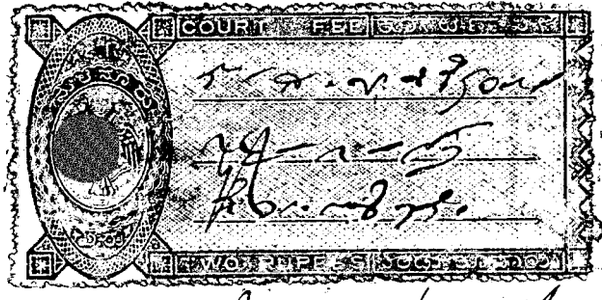
Submitted to the
Council. (Please
see the enquiry
order of the Dy
Comm. dd 19 today

N
18/1/93.

Case posted for hearing
to-morrow - Notice
issued

N
18/1/93

Mysore-Govt. Central Press Bangalore—7-9-92,—1000.



81

1765 R.

18-1-93

No. Paper Receipt

1/7

Rd by Mr Sankaranath
adv / Letter
who appeared
in a body
today —

All

18/1/93

A.S. No 80
92-93

J. R. A. Thumboo Chetty Esq^r
Officiating Dewan to
His Highness the Maharajah of Mysore G.C.S.I.
Bangalore

When adv in
Council Memorial
All

Respectfully Sheweth,

18/1

We the undersigned residents of
Nagarth Pettah, most respectfully beg to State as
follows: —

That Your Memorialists belong to 9
Panahs residing in the II & VI Divisions of the Bangalore
City

2.

18/1

That the Avenue road runs from North to
South from the Yellahanka Gate to the Fort; the
part to the west of this road Called Dashada Pettah
is mostly inhabited by people who belong to
18 Panahs, and the part to the east of the Said road
is Called Nagarth Pettah, and is inhabited by people

belonging to 9 Panahs.

3. That Your Memorialists respectfully beg to state, that neither the processions of any sort from Deshada Pettah, are allowed to pass Nagarth Pettah, nor the processions of Nagarth Pettah are permitted to cross the Avenue Road. vice & Versa

4 That Your Memorialists beg to State that the Custom referred to in Para 3 has been strictly followed and enforced for upwards of Centuary.

5 That Your Memorialists beg to mention here, that about 100 families belonging to Thogatars and Tshuntars, who belong to 18 Panahs, purchased plots of house Sites 30 Years ago, and built houses and have been living in them in Cubbon pettah have strictly followed the Custom referred to in Para 3 Supra.

6 That on the 8th May 90, the Banajigars residing in Deshada Pettah passed with a procession of Veerabhadra Devaru and Nandikolu with music tom tom &c in the Said Cubbon Pettah, without a proper license; when fortunately, owing to the absence of the weavers and others who are residing in Cubbon Road, there was no breach of peace.

7. That Your Memorialists Complained against the Banajigars that brought the procession (referred to in para 6) for trespassing upon the Cubbon Road.

against the Mamool referred to in Para 3, to the then Deputy Commissioner P. N. Krishna Murti Esqr., who referred the petition for an enquiry to the then Superintendent of Police Mr. J. W. Knight; he made an exhaustive enquiry and submitted an elaborate report to the then Deputy Commissioner V. P. Madhava Row Esqr.; the latter officer visited the locality and was satisfied with Your Memorialists' allegations on the right claimed when suddenly he was promoted to the office of the Inspector-General of Police

8 That the present Deputy Commissioner to whom the papers were left for disposal, without giving due weight to the representations of Your Memorialists, and to the Muchalikahs and other documents filed and evidence adduced in the Case before the Superintendent of Police, which clearly throw light on the long usage and the Mamool enjoyed by Your Memorialists, passed an order permitting procession to pass from Deshada Pettah to Cubbon Pettah

9 That Your Memorialists also beg to add here that weavers belonging to 9 Panahs numbering over 700 houses do reside in Deshada Pettah limits without claiming the right to pass with procession through Nagarth Pettah

That in Conclusion Your Memorialists most humbly pray to issue an order prohibiting the procession

of the Deshada Party passing through the Nagarth Pettah into Cubbon Pettah pending the disposal of this Memorial to avoid breach of peace and also to Call for the records in the Case, and to pass an order reversing the order of the District Magistrate as the head of the District Police (herein appended) allowing Your humble Memorialists long enjoyed Custom;

For which Act of Kindness, Your humble Memorialists shall as in duty bound ever pray.

Bangalore
17th January 1893

A. Samuel
For Petitioners

COURT FEE STAMPS

In the Court of the District Magistrate
Bangalore
Dated 22nd December 1892

Read Miscellaneous Petition No: 58 of 1892 presented by B Narayana Chetty and others of Nine Cana Seek, Bangalore praying that Gurubarai Chetty and four others Settis and Yajamans may be dealt with according to law for having criminally trespassed into the Cubbon Street which belongs to them with the procession of Veerabhadra Devaru Nandikolu &c of Arlepetah, Bangalore.

Order

I have heard both parties and seen the locality and have also perused the records.

Generally the Desaidapettah and the Nagarathapettah are separated by the Avenue Road - the former lies to the west of it and the latter to the East of it. The disputed Street is part of the Cubbon Pettah and the whole Cubbon Pettah lies to the East of the Avenue Road. The Desada party claim the disputed Street as included within their privileged area on the ground that it is a recent formation and is wholly inhabited by the Desada people, while the Nagaratha party oppose the claim on the ground that the disputed Street lies on their side of the Avenue Road. That the Cubbon Pettah is a comparatively recent extension of the

city is admitted by both parties. The Nagarattha party was unable to shew me a single Nagarattha house in the disputed Street. So the Contention of the Desada party seems valid but I am not Concerned with the adjudication of Civic rights and privileges. I purpose refrain from expressing any decided opinion in regard to them. The parties are at liberty to get their rights defined by the proper tribunal whose decision I as the head of the District Police shall respect. In the mean time my functions are limited to the preservation of order and public peace. As the disputed Street ~~is~~ the Cubbon Pettah from the Avenue Road up to the Cross lane at the Second Lamp post leading to the District office Road is wholly inhabited by the Desada people, there can be no disturbance of peace resulting from a Desada Procession passing through the Streets unless the Nagarattha people should aggressively enter the Street and cause it, in which case they will be liable to prosecution for riot or as members of an unlawful assembly, the conditions of the offence being present. I see no reason objection to licensing Desada processions through this Street as described above. The Police should carefully watch such processions.

(Sd) Mir Shujaet Ali
Asst Magte

22nd Dec 1892

Copy

Copy applied for on 10-1-93 for Md Mumtaz Ali

Copy prepared on 11-1-93

Copy delivered on 11-1-93

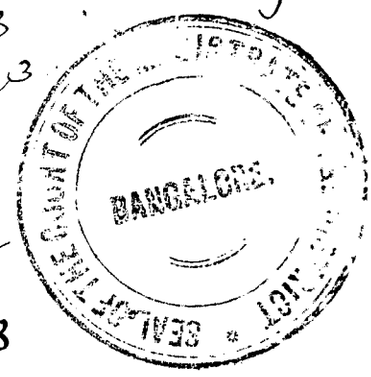
No of Words 405

Copying fee 0-7-6

Comparing fee 0-1-8

Cost of paper 0-0-3

Total 0-9-5



Pet 875

SC 2

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 1765
dated 17th Jany 93 received at the
Dewan's Office from Mr. A. Lambirsiva Iyer,
Advocate on behalf of Doddi Ven.
Kalappachetty & others, Nagarth-
petty, Bangalore City,

is forwarded, together with its four
enclosures, to the Deputy Comm., Bangalore
Distt, with a request that he will be
good enough to
forward the entire proceedings with
a report as to what has been
the Mamool with regard to pro-
cessions of Dasada petta and
Nagarath petteh people.

2. The Petition should be retd.

By Order,

Draft
(Council order)

Ben.

BANGALORE,
21 Jany 1893.

Chief Secretary.

25

M. G. C. P. Bangalore.—21-11-92—3,000.

From the same No 1084 of 26/4/93.

8 C 3

(General Serial No. 30.) 12382

1892-93.

Pet. 508.

From The District Magistrate

Bangalore

To

The Chief Secretary to the Dewan
of Mysore.

Dated 26th April 1893.

Despatched 27th — Do —

Received

Enclosures No. 1 file & P.

General No.

No. 1084.

Mrs Official Memo-
-randum No. 875 of the
25th January last, for-
-warding petition of
Doddi Venkatappa Chetty
and others of Nagarpete
Bangalore City, for report
with the record in con-
-nection with the pro-
-ceedings of Desada Pete
and Nagarpete people.

Has the honor to
forward the entire record

M. G. C. P. Bangalore.—27-1-93.—5,000.

together with the report and its enclosures received from the Amildar of the Bangalore Talook. It would appear from the report, that it is usual with the Desada Pete people to take their processions in the Cubbon Pete, as far as the 2nd Lamp post fixed by the Municipality and almost all the people residing in that Street belong to 18 Phanas (Desada People)

The petition is herewith returned.

Macnaughton

District Magistrate

Mr

Urgent 8C 4.

grant

(6)

To

The Deputy Commissioner
Bangalore Dist.

From the Secretary to Govt.

No 2931/241 dt/14-8-93.
14

Has the honor to request that the entire records connected with the matters noted in the margin may be forwarded to this office by tomorrow evening for reference in connection with Petition No 1765 of 17-1-93 which comes on for hearing on the 17th Instant.

By order

14/8/93
for Chief Secretary

(1) Complaint to the Dy Commr (Mr. P. R. Krishna Murti) by Narayanachetty & others of Nagarthapet against the Banajigas of Desadapet, of trespass alleged to have been committed on 8 May 1890; the enquiry & report by Mr Knight thereon; and the orders of the Dy Commr on the said report.

(2) Suit C/P No 58 of 1892 on the file of the Dist Magt of Bangalore ~~praying that~~ presented by B. Narayanachetty & others against Gurubasavachetty & others, and the proceedings thereon resulting in the order of the Dt Magistrate dated 22 December 1892

Rec'd 21/8/93

Urgent 8 C 5

(General Serial No. 30.) 2049

1893 : 94 P. 96.

From The District Magistrate

Bangalore.

(7)

To

The Chief Secretary to the Dewan
of Mysore.

Dated 15th August 1893.

Despatched

Received

Enclosures No. Records

General No.
9 *No.* 160.

Has the honor to forward the records in Criminal Miscellaneous Case No 58 of 1892-93 on the file of this Court, as called for in his No. 2931/241 dated 14th Instant.

Manoharan

for District Magistrate

Peon Bo.

15/8

816

(8)

M No 1765 of 1892-93

Appt
Doddi Venkatappa
Settl & others
of Nagarthpeta
Bangalore
represented by his
Advocate Sambasivayer

Respts
Gurubasetti &
others
of Desadapeta
in Bangalore.

By Comr
In Dec 1892 the ~~D. of Magte~~
~~the~~ passed an order that the respts might
be licensed to carry their Processions through
a particular street. The appeal is against the order.
The ~~D. of Magte~~ Comr reports that "it is usual for respts
to take their processions along the road in question
& that he passed the orders accordingly as Hd
of the Dt Police. The order appears to have been
kept in abeyance pending the disposal of appeal.
~~See 27 of the Police rules upon the Powers the Dt Magte~~
~~of the Magte~~.
Govt observe that under sec 27 of the
Police rules it is the Magte and the Head of
the Police that is authorized to pass an order
of the kind under notice. In all such cases
of caste disputes, the Govt consider that

the best course is to effect an amicable settlement & not to give the weight of Magesterial authority to either party. The Court would be pleased if the Magistrate would cancel the order already issued & send up the principal men of both the parties to the Dewan who would try to effect an amicable settlement. —

21/8/93

24/8/93

28/8

The Dewan agrees the above course

21/8/93

3947 dt 21/8/93
P. 355 31

To The Deputy District Magistrate, Bangalore with reference to his No 1084 dt 26-4-93